

Sec 7/1/54
H 7 2/19/51

CONSTRUCTION
INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF FLAGSTAFF

THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Section 11-951 through 11-954, by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE", and the CITY OF FLAGSTAFF, hereinafter called "CITY",

WHEREAS, the STATE is empowered by Arizona Revised Statutes Section 28-108 to enter into this AGREEMENT, and

WHEREAS, the CITY is empowered by Arizona Revised Statutes Section 9-672 to enter into this AGREEMENT, and acting by and through its duly elected governing body, has by that certain resolution attached hereto and incorporated herein as Exhibit "A" resolved to enter into this AGREEMENT and has authorized the undersigned as its representative to execute the same on behalf of said CITY, and

WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements and/or modifications be made on the State Highway System in the CITY. This work shall include but not be limited to the installation of new traffic signals and intersection lighting at the following location:

US 66 and Arrowhead Avenue

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The STATE shall advertise for bids and award a contract for the installation of the traffic signals and intersection lighting on US 66 at Arrowhead Avenue.

2. The CITY, upon completion of the work, shall reimburse the STATE for thirty-four per cent (34%) of the preliminary engineering, construction, and field engineering costs, not to exceed \$21,250.00 for its share of the cost of this work.

3. This AGREEMENT shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals are complete, in place, and functional.

4. All parties are hereby put on notice that this AGREEMENT is subject to cancellation by the Governor pursuant to Arizona Revised Statutes Section 38-511.

5. This AGREEMENT shall be filed with the Secretary of State and shall become effective on the 1st day of November, 1980, but in no event prior to its being filed with the Secretary of State.

6. Attached to this AGREEMENT and incorporated herein by reference is Exhibit "B" which is a copy of the written determination of the appropriate attorney that the CITY is authorized under the laws of this State to enter into this AGREEMENT and that it is in proper form.

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

By: 
Chief Deputy State Engineer

Date: 2/2/81

CITY OF FLAGSTAFF

ATTEST:

By: 

Title: Mayor

Date: January 26, 1981

Linda Butler

EXHIBIT A

Extract of the Minutes of the Flagstaff City Council Meeting held January 20, 1981.

Consideration of an Intergovernmental Agreement with A.D.O.T. for a Sign at Arrowhead Avenue and Santa Fe Avenue:


Recommended Action: Approve the Construction Intergovernmental Agreement and Letter Addendum to the Intergovernmental Agreement and authorize the Mayor to execute on behalf of the City.

A motion was made by Councilman Robinson and seconded by Councilman Lee to accept the staff recommendation. The motion unanimously carried.

CERTIFICATION

I, LINDA BUTLER, City Clerk of the City of Flagstaff, Arizona, do hereby certify that the foregoing is a full, true and correct copy of an extract of the Minutes of the Flagstaff City Council Meeting, held January 20, 1981.

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official Seal of the City of Flagstaff, this 26th day of January, 1981.


CITY CLERK

(SEAL)

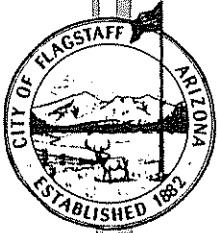


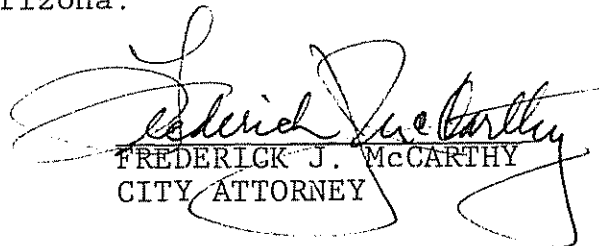
EXHIBIT "B"

City of Flagstaff

P.O. Box 1208
Flagstaff, Arizona 86002
602-774-5281

January 23, 1981

I have reviewed the proposed Intergovernmental Agreement between the Department of Transportation at the State of Arizona and the City of Flagstaff in regard to the installation and maintenance of a traffic signal and lighting at the intersection of US 66 and Arrowhead Avenue, and it is my determination that the Agreement is in proper form and within the process and authority of the City under its Charter and the statutes of the State of Arizona.


FREDERICK J. McCARTHY
CITY ATTORNEY



ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

February 26, 1981

BRUCE BABBITT
Governor

WILLIAM A. ORDWAY
Director

THOMAS R. LAMMERS
Assistant Director
and State Engineer

The Honorable Paul J. Babbitt, Jr.
Mayor, City of Flagstaff
15 North Beaver
Flagstaff, Arizona 86002

Re: Intergovernmental Agreement
A. G. Contract No. 81-69
and
Letter Addendum to Intergovernmental Agreement
A. G. Contract No. 79-479
City of Flagstaff/State of Arizona
U.S. 66 at Arrowhead Avenue

Dear Mayor Babbitt:

Transmitted herewith is a copy of the executed agreement referenced above.

You will note the effective date of filing with the Office of the Secretary of State is February 19, 1981.

Very truly yours,

CARLIE BOWMER
Assistant State Engineer
Traffic Engineering Section

CB:mm
Attachments

cc: J. B. Mertz
✓ E. F. Gentsch
D. R. Olivarez
Ben Patterson
Sally Al-Hashimi (original)





OFFICE OF THE
Attorney General

1801 WEST JEFFERSON STREET
FOURTH FLOOR
PHOENIX, ARIZONA 85007

ROBERT K. CORBIN
ATTORNEY GENERAL

INTERGOVERNMENTAL AGREEMENT

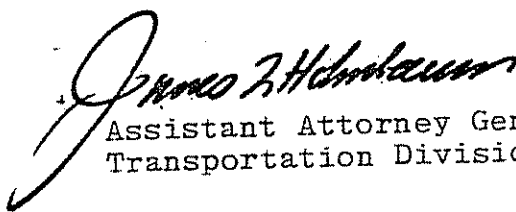
DETERMINATION

A. G. Contract No. 81-69, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted to the State or its agencies under the laws of the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 10th day of February, 1981.

ROBERT K. CORBIN
Attorney General


Assistant Attorney General
Transportation Division

2/11/81

ARIZONA HIGHWAY DEPARTMENT
REQUEST FOR PREAUDIT

TO: External Audit Branch

THRU: _____

FROM: Carlie Bowmer

SUBJECT: Project: Construction/Signalization
Highway: U.S. 66
Section: Arrowhead Avenue
Within City of Flagstaff
Document Number: A. G. Contract No. 81-69
Principal: City of Flagstaff/State of Arizona

It is requested that a preaudit be performed on the subject documents. Upon completion of the preaudit, the documents should be returned to:


Carlie Bowmer, Assistant State Engineer
Traffic Engineering Section, 204E

Signature: Mary V. McKinley


Title: Admin. Secretary I

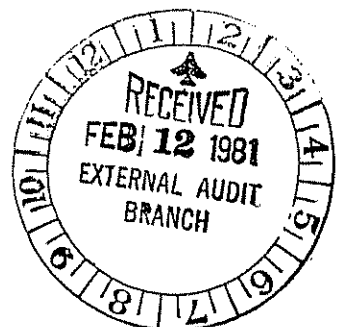
Preaudit Report No. 81-18 Date: 2/13/81

The subject documents were preaudited by the External Audit Branch in accordance with departmental procedures. No exceptions were taken.


STAFF AUDITOR

Approved:


EXTERNAL AUDIT MANAGER





ARIZONA DEPARTMENT OF TRANSPORTATION

HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

BRUCE BABBITT
Governor

WILLIAM A. ORDWAY
Director

September 16, 1980

J. B. MERTZ
Assistant Director
and State Engineer
Acting

The Honorable Paul J. Babbitt, Jr.
Mayor
City of Flagstaff
15 North Beaver
Flagstaff, Arizona 86002

Re: Intergovernmental Agreement and Letter Addendum

Dear Mayor Babbitt:

Transmitted herewith are two copies of a proposed Agreement concerning construction of signals at the intersection of US 66 at Arrowhead Avenue. Essentially, the Agreement establishes that the State will have signals installed and the City will reimburse the State for thirty-four percent of the cost, but not more than \$21,250.00.

The proposed Agreement is being forwarded for your review, approval, and coordination with the City Council, which may take action by ordinance, resolution, or otherwise, authorizing signing of the Agreement.

A written determination is required by the City Attorney or Assistant City Attorney stating that the Agreement is in proper form, and within the powers and authority granted to the City.

The signed copies of the Agreement and the papers of authorization, i.e., the City Council's resolution and the City Attorney's determination, should then be forwarded to ADOT for processing.

After the Agreement has been properly processed, and all of the other necessary signatures have been obtained, the Agreement will be filed with the Secretary of State, at which time the City will receive a copy of the fully executed document.

Also transmitted herewith are two copies of a Letter Addendum concerning maintenance of the new signals. They are being forwarded to you for your review, approval, coordination, and procuring of necessary signatures.



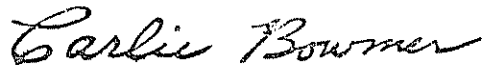
The Honorable Paul J. Babbitt, Jr.
Page 2

September 16, 1980

After your agency has signed both copies, please return them for our agency's signatures. As soon as the necessary processing is completed, a fully executed copy of the Letter Addendum will be forwarded to you for your files.

Very truly yours,

J. B. MERTZ
Acting State Engineer

A handwritten signature in cursive script that reads "Carlle Bowmer".

CARLIE BOWMER, P.E.
Assistant State Engineer
Traffic Engineering Section

CB:TMN:bh
Atts.

cc: J. B. Mertz
E. F. Gentsch



From the desk of

MARY McKIRCHY

Mary:

In future, when preparing
Letter Addendum, we should also
give A. G. Contract No. of agreement
in addition to date that the
original agreement was consummated.

Mary Mac

In this case, I added it to Exhibit C.

